

FULL BOARD MINUTES

DATE: May 22, 2003
TIME: 6:30 P.M.
PLACE: NYU Law School, Vanderbilt Hall
40 Washington Square South, Room 110

BOARD MEMBERS PRESENT: Steve Ashkinazy, Tobi Bergman, Keith Crandell, Maria P. Derr, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Lawrence Goldberg, Jo Hamilton, Arthur Harris, Anne Hearn, Brad Hoylman, Barbara Jeter, Lisa La Frieda, Don Lee, Aubrey Lees, Chair, Community Board #2, Manhattan (CB#2, Man.) Don MacPherson, Rosemary McGrath, T. Marc Newell, Rick Panson, Judy Paul, David Reck, Carol Reichman, Robert Rinaolo, Mark Rosenwasser, Rocio Sanz, Arthur Z. Schwartz, Shirley Secunda, Melissa Sklarz, James Smith, Shirley H. Smith, Sean Sweeney, Martin Tessler, Wilbur Weder, Carol Yankay.

BOARD MEMBERS EXCUSED: Anthony Dapolito, Barbara Jeter, Dr. John Maggio, Edward Ma, Doris Nash, Betty Williams.

BOARD MEMBERS ABSENT: Helene Burgess, Honi Klein, Ann Robinson, Ruth Sherlip, Stephanie Thayer, Jeanne Kazel (Wilcke).

BOARD STAFF PRESENT: Arthur Strickler, District Manager

GUESTS: Daryl Cochrane, Congressman Jerrold Nadler's office; Brian Sogol, Senator Tom Duane's office; Yvonne Morrow, Assembly Speaker Sheldon Silver's office; Gary Parker, Assembly Member Deborah Glick's office; Dirk McCall, Council Member Alan Gerson's office; Andree Tenemas, Council Member Margarita Lopez' office; Carin Mirowtiz, Council Member Christne Quinn's office; Alex Kurnicki, Tony Fant, Jim Brennan, Judy Jacobson, Daniel Lavin, Susan Milani, Gabe Warshaw, Ken Daniels, Hitoshi Nakamoto, Joni Petre-Scholz, Daniel Scholz, Gabe Kleiman, Diane Laine, Donald Alberti, Gilbert Oshley, Riaz Jurney, Abbas Shah, Mike De Rosa, Bruce Cohan, Shirley Zaragoze, Tarcicio Costa, Miguel Jeronimo, Jennifer Arlen, Ann Arlen, Christine Hunter, Kathryn Freed, George Watson, Howard Zien, Mark Scott, Jean Krampner, Bob Alexander, Steven M. Riddle, Jak Beyer, Philip Mortillaro, Michael Iadicicco, Shawn Basler, Howard Zipser, Marvin Mitzer, Lawrence White.

MEETING SUMMARY

Meeting Date: May 22, 2003
Board Members Present: 35
Board Members Excused: 6
Board Members Absent: 6

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II. PUBLIC SESSION

Non-Agenda Items

Bob Alexander spoke.

Environment Items

Improved Bottle Bill (Di Napoli- La Valle Bill)

Ann Arlen spoke in favor of the resolution.

Landmarks & Public Aesthetics Items

62-64 7th Ave. South

Steven Riddle, Philip Mortillaro, Michael Iadicicco, spoke in favor of the application.

81 Horatio St.

Jack Beyer, Byer Blinder Belle, spoke in favor of the application.

744-748 Greenwich St.

Miguel Jeronimo, Tarcisio Costa, Sharon Basler, Alex Kurnicki, Howard Zipser, spoke in favor of the application.

Waterfront Items

Proposed Developer for Pier 40

Riaz Jurney spoke, GVLL, spoke re: Pier 40 fields.

Lawrence White, artist, spoke in favor of an arts center on Pier 40.

George Watson and Ken Daniels spoke in favor of the resolution.

Zoning and Housing Items

BSA-622 Broadway

Marvin Mitzner spoke in favor of the zoning application.

III. Adoption of Agenda

IV. Elected Officials Present and Reporting

Daryl Cochrane, of Congressman Jerrold Nadler’s office

Brian Sogol, Senator Tom Duane’s office

Yvonne Morrow, of Assembly Speaker Sheldon Silver’s office

Gary Parker, of Assembly Member Deborah Glick's office

Dirk McCall, of Council Member Alan Gerson’s office.

Andree Tenemas, Council Member Margarita Lopez’ office,

Carin Mirowitz, of Council Member Christine Quinn's office

V. ADOPTION OF MINUTES

Adoption and Distribution of April minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Aubrey Lees reported

Dear Madam Borough President,

This is to inform you that as per Community Board #2’s by-laws, chapter #I. Membership, Section # 8. “The Chairperson may, after consultation with the Executive Committee, recommend to the Borough President the removal of a Board Member for cause.”

And Section #9 such “cause”: shall include but not be limited to a Members’ failure to fulfill any of the duties or responsibilities outlined in section #7. Recognizing that regular attendance at Board or committee meetings is essential in order for a member to fulfill his/her responsibilities, the Board has determined that four (4) unexcused absences within any period of (12) twelve consecutive months from regular meetings of the Board or four (4) unexcused absences within a period of (12) twelve consecutive months from regular meetings of a standing committee to which a member has been appointed, shall constitute cause for removal.

The City Charter states “ Members may be removed for “cause” by the Borough President or by a **majority vote of the Board** in accordance with due process. (“Cause” is not precisely defined in the Charter. However, on example of cause is noted in the Charter substantial non-attendance at Board or committee meetings over a period of six months).

At the Full Board meeting of Community Board #2, Manhattan, held on May 22nd, 2003 there was a unanimous vote to remove Ms. Hyun Lee for non-attendance at Full Board Meetings, as well as, committee meetings. Most of the Board Members noted that they have never seen or met Ms. Hyun Lee at all.

We respectfully request that you take do notice thereof and govern yourself accordingly.

Sincerely,
Aubrey Lees
Chair

Arthur W. Strickler
District Manager

Vote: Unanimous, with 35 Board members in favor.

2. **District Manager's Report** Arthur Strickler reported.

STANDING COMMITTEE REPORTS

BUSINESS

1. Porto Allegre Inc., d/b/a Café Colonial, 73 East Houston Street, NYC

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is to upgrade from Beer and Wine to an On Premise License; and

WHEREAS, the applicant stated that he has been the same owner for the past eight years and that there would be no change to the name, hours, menu, décor, music policy or method of operation; and

WHEREAS, no one from the public spoke in opposition to this application; and

THEREFORE BE IT RESOLVED that has no objection to the issuance of an On Premise license to **Porto Allegre Inc., d/b/a Café Colonial, 73 East Houston Street, NYC**

Vote: Unanimous, with 35 Board members in favor.

2. Realtek LLC, d/b/a La Crocetta di Milano, 259 West 4th Street, NYC 10014

WHEREAS, the applicants appeared before the committee; and

WHEREAS, this application is for an On Premise License at this location; and

WHEREAS, the applicant stated that this would be an Italian Bar/Café style premise open for breakfast, lunch and dinner from 8 AM until 11 PM seven days; and

WHEREAS, the applicant also stated that there would be no music and that they would have a sidewalk café as of right within the building line; and

WHEREAS, no one from the community appeared in opposition to this application; and

THEREFORE BE IT RESOLVED, that CB#2, Man. has no objection to the is0 LLC, d/b/a La Crocetta di Milano, 259 West 4th Street, NYC

Vote: Unanimous, with 35 Board members in favor.

3. NYC Restaurant Group d/b/a Theo, 325 Spring Street, NYC

WHEREAS, the applicants appeared before the committee; and

WHEREAS, this application is to extend the existing On Premise license at this location into the sidewalk cafe; and

WHEREAS, the applicant stated that there will be no change to the current method of operation; and

WHEREAS, no one from the community appeared in opposition to this application; and

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the alteration of the On Premise license for **NYC Restaurant Group d/b/a Theo, 325 Spring Street, NYC**.

Vote: Unanimous, with 35 Board members in favor.

4. Bloomingdales Inc., d/b/a Café 504, 504 Broadway, NYC 10012

WHEREAS, the applicant's representative appeared before the committee; and

WHEREAS, this application is for an On Premise license on the fifth floor of the downtown Bloomingdales department store to be built at this location; and

WHEREAS, the applicant stated that there would be table service only with no bar and that this premise would be open only during regular store hours same as the uptown Bloomingdales; and

WHEREAS, no one from the community spoke in opposition to this application; but

WHEREAS, no liquor license can be issued without a valid Certificate of Occupancy; in this case a Use Group 6 (retail use) is required; and

WHEREAS, the current Certificate of Occupancy is for a Use Group 16 (storage); (this was confirmed by Corrine Lindo of the NYC Dept. of Buildings); and

WHEREAS, no liquor license can be issued for serving liquor in a storage space; and

WHEREAS, it has been the policy of the SLA not to issue a license to an unconstructed space; now

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise liquor license for **Bloomington Inc., d/b/a Café 504, 504 Broadway, NYC** contingent upon a valid Use Group 6 Certificate of Occupancy being acquired and the premises constructed and building permits signed off.

Vote: Passed, with 32 Board members in favor, and 3 in opposition.

ENVIRONMENT

1. Improved Bottle Bill (Di Napoli- LaValle Bill)

WHEREAS, More than 75 billion containers bearing a 5-cent deposit have been redeemed under New York State's bottle bill since 1982; and

WHEREAS, The New York bottle bill has diverted more than 5.2 million tons of materials from the waste stream, preserving space in landfills and/or avoiding pollution; and

WHEREAS, The New York bottle bill has contributed to a cleaner and safer environment by reducing litter and broken glass in parks, playgrounds, and open spaces; and

WHEREAS, The New York bottle bill has created economic opportunities to New Yorkers who redeem bottles and cans from the waste; and

WHEREAS, Non-redeemable containers make up nearly two thirds of the beverage container spilling up on New York's shorelines, and contribute up to 11% of all litter in some communities;

WHEREAS, Bearing the cost of a product's waste should be the responsibility of beverage producers and their consumers, not taxpayers and communities; and

WHEREAS, The beverage industry benefits from unclaimed deposits which amounted to \$107 million in the year 2000 in New York City alone;

THEREFORE BE IT RESOLVED that CB#2, Man. supports an expanded New York bottle bill to include deposits on non-carbonated beverages such as bottled water, iced tea, juice, and

BE IT FURTHER RESOLVED that CB#2, Man. supports the requirement that the beverage industry must return all unclaimed deposits to the state to fund municipal recycling and waste prevention programs;

BE IT FURTHER RESOLVED that CB#2, Man. supports the passage of a Bigger, Better Bottle.

Vote: Unanimous, with 35 Board members in favor

2. Support of Green Roof Infrastructure Development in New York City

WHEREAS, green roofs, also known as eco- or vegetated roofs, are engineered systems composed of drought-tolerant plants, lightweight growing media, drainage components, and a high quality waterproof membrane, designed to protect the base building while supporting the growth of vegetation on rooftops, and

WHEREAS, green roofs mitigate the environmental problems of stormwater discharge and "urban heat island effect" by heightening stormwater retention and lowering ambient air temperatures while creating usable green space, extending the life of roof membranes, and conserving energy; and

WHEREAS, green roofs have been successfully and widely implemented in European and Japanese cities to mitigate pollution from stormwater runoff and urban heat island effect; and American cities such as Chicago- Portland (Oregon), Washington, D.C., and Atlanta are pursuing the development of *green* roofs through a range of governmental support structures including tax credits, building incentives, direct grants, and regulation; and

WHEREAS, Earth Pledge, an environmental non-profit organization committed to sustainable urban issues in New York City, is undertaking through its Green Roofs Initiative a program of scientific and policy research to demonstrate the rationale for government support of green roof projects-, and

WHEREAS, Earth Pledge is currently working with a wide range of private and community organizations to provide and promote the tools to develop green roof infrastructure in New York City, including nonprofit organizations such as Housing Works and the Lower Eastside Girls Club and others in Chelsea, Harlem, and the South Bronx; and

WHEREAS, CB#2, Man. is participating in the Green Roofs Policy Task Force, an advisory committee representing community boards, government agencies, and public officials to investigate options for appropriate government, industry, and community support of *green roof* projects; and

WHEREAS, citizens and community groups can play an important role in raising the public awareness about the environmental and health issues of these problems and possibilities, and can encourage New York City officials and agencies to assess the potential benefits of *green roofs* projects to the city and its residents, now,

THEREFORE BE IT RESOLVED that, CB#2, Man. endorses the creation of green roofs infrastructure in New York City as a partial solution to water pollution caused by combined sewer overflow and health and energy problems related to the urban heat island effect, and as means of creating both public and private green space to benefit New York City residents; and

BE IT FURTHER RESOLVED that, CB#2, Man. urges the Mayor, City Council, and all government agencies and authorities to take an active role in supporting research and development for a *green roofs* infrastructure in New York City and the effective utilization of such efforts by means of tax credits and other incentives; and

BE IT FURTHER RESOLVED that, following the examples of Chicago, Illinois and Toronto, Ontario, which have both developed high-profile, publicly accessible green roofs on their city halls, Community Board #2 urges the City of New York develop a similar green roof on one of its municipal buildings to demonstrate its

Vote: Unanimous, with 35 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

On Tuesday, June 3, 2003, 2003 at 9:30 am, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting.

Item 9 - 35 Mercer Street - SoHo-Cast Iron Historic District. An Italianate style store and loft building built in 1867. Application is to remove vault covers and install diamond-plate, and to install a barrier-free access ramp.

WHEREAS, the new concrete sidewalk will not destroy any historic fabric; and

WHEREAS, the handicapped-access ramp is not out of context with the historic character of the neighborhood, where loading ramps were common; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 35 Board members in favor.

Item 10 - 46-50 Greene Street - SoHo-Cast Iron Historic District. A store and loft building with neo-Grec style elements built in 1860. Application is to replace a flagpole installed without Landmarks Preservation Commission permits.

WHEREAS, the existing gargantuan banner has blighted this block for years; and

WHEREAS, the illegally-installed large flagpole has damaged historic material; and

WHEREAS, the proposed extra-long flagpole with the huge flag are vulnerable to strong winds and could be pulled from the wood, causing further damage; and

WHEREAS, the huge banner obscures the façade of this building and adjacent buildings; and

WHEREAS, a small blade sign speaks louder; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 35 Board members in favor.

Item 11 - 295-309 Lafayette Street - Individual Landmark - The Puck Building. A Romanesque Revival style building built in 1885-86 designed by Albert Wagner, enlarged in 1892-93, and altered in 1899 by Herman Wagner. Application is for a building-wide window replacement.

WHEREAS, this is a two-phase plan, calling for replacement of all but the ground floor window, and the applicant is asking approval for both phases now; and

WHEREAS, there has been a thoughtful and careful restoration of this important building; and

WHEREAS, since the historic color of the window trim could not be determined, the proposed turquoise-blue metal-frame windows will correspond to the existing turquoise windows; and

WHEREAS, sufficient detailing will be used with the window muntins, so that from a street view, the fenestration should be indistinguishable from costly historic window replacements; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 35 Board members in favor.

Item 12 – 23-29 Washington Place - Brown Building/Triangle Shirtwaist Building - Individual Landmark. A Renaissance style loft building designed by John Woolley and built in 1900-01. Application is to establish a master plan governing the future installation of mechanical equipment on the roof.

WHEREAS, this building was designated not so much for architectural as for historical reasons; and

WHEREAS, NYU made it clear at the time of designation that mechanical elements would occasionally have to be installed or removed from the roof of this chemistry building, and the Community Board was supportive of these needs; and

WHEREAS, there will be a clear zone of ten feet from the building's edge free of equipment, and the chimney stacks will only reach 35 feet in height; thus these restrictions will remove most mechanicals from public view; and

WHEREAS, the mechanicals will be galvanized metal, which is not inappropriate for this building; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this application.

Vote: Passed, with 30 Board members in favor, 3 in opposition, and 2 in abstention.

Item 13 - 712 Broadway (Washington Pl.) - NoHo Historic District. A Romanesque style warehouse building constructed in 1892-92 and designed by Alfred Zucker. Application is to install new storefront infill.

WHEREAS, this attractive proposal is in keeping with other storefronts in the historic district in style, treatment, proportion, materials, fenestration, and rhythm; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 35 Board members in favor.

Item 14 - 62-64 Seventh Avenue South, a/k/a 14 Commerce Street - Greenwich Village Historic District. A gasoline filling station. Application is to legalize the construction of a metal and glass enclosure without Landmarks Preservation Commission permits. Zoned C2-6

WHEREAS, Seventh Avenue South was cut out in the 1920's and has a different aesthetic than other streets in the Village; additionally, the existing structure, an old filling station, is not a contributing building; and furthermore, it would be difficult to build a profitable building on this tiny, odd-shaped lot; and

WHEREAS, the public showed up in force to beg us to approve the application to fill in the lot, because it was a breeding ground for anti-social behavior and a visual blight on the neighborhood; and

WHEREAS, the owner gave a thorough and straightforward presentation; and

WHEREAS, the proposed solution is certainly an improvement over conditions that have existed here for a very long time; and

WHEREAS, this property is on the edge of the historic district; and

WHEREAS, the proposed structure has a temporary appearance and can easily be demolished, if the owner wishes to erect a more attractive building in the future; but

WHEREAS, although there was some concern that the materials proposed are not appropriate for an historic district, notwithstanding that this is Seventh Avenue South, a modern street which is continually evolving; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this application.

Vote: Passed, with 25 Board members in favor, and 6 in opposition.

Item 15 - 86 West 12th Street, a/k/a 474-482 6th Avenue - Greenwich Village Historic District. An apartment building built in 1956 designed by Israel L. Crausman. Application is to legalize the replacement of through-the-wall air-conditioner grilles throughout the building without Landmarks Preservation Commission permits.

WHEREAS, the replacement air-conditioner grilles and sleeves are consistent with such elements in other modern buildings in the historic district, and do not detract from the building nor the district; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 35 Board members in favor.

Item 16 - 95 Christopher Street, a/k/a 332 Bleecker Street - Greenwich Village Historic District. An apartment building constructed in 1930-31 and designed by H.I. Feldman. Application is to install an exterior security gate, tracks, and housing at the ground floor infill.

WHEREAS, the Landmarks Preservation Commission's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

WHEREAS, the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 35 Board members in favor.

Item 17 - 744-748 Greenwich Street - Greenwich Village Historic District. A one-story building constructed in 1945 and a one-story building constructed circa 1973. Application is to demolish both buildings and to construct a new six-story apartment building. Zoned R6/C6-1.

WHEREAS, currently a garage on the site takes up the whole lot and this proposed building will provide a welcomed 35-foot rear-yard setback and garden entrance from the street; and

WHEREAS, the materials, natural brick and limestone, are consistent with the historic district; and

WHEREAS, the height is the same as adjacent buildings; and

WHEREAS, the building is a bit 'noisy', but otherwise acceptable; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this application.

Vote: Passed, with 34 Board members in favor, and 1 in opposition.

Item 18 - 81 Horatio Street (Washington St.) - Greenwich Village Historic District. A rowhouse built in 1870 and designed by William Grant. Application is to construct A rooftop addition and a new rear facade, and to install a new stoop on the front facade. Zoned R6.

There are three parts to this application, so there will be three parts to the resolution.

First, the front façade:

WHEREAS, the façade restoration is authentic and accurate, with great care taken in the choice of materials and design; and

WHEREAS, the re-installation of a stoop is welcomed; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this portion of the application.

Vote: Unanimous, with 35 Board members in favor.

Second, the rear façade:

WHEREAS, this is an another unfortunate use of form following function; namely, this proposal will destroy some original material and elements on the rear façade in order to accommodate a change of use in the interior of the house; and

WHEREAS, although the proposed rear façade is attractive, it bears little relationship to the original; and

WHEREAS, we have a concern about the increasing number of whole-house renovations that remove historical features and replace them with a modern treatment; but

WHEREAS, in this instance, the building is on the very edge of the historic district, and does not have residences behind it; thus there is no typical Village backyard ‘doughnut’ configuration to preserve; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this portion of the application; and

BE IT FURTHER RESOLVED that this should not set a precedent for future gutting of historic rear facades.

Vote: Passed, with 33 Board members in favor, and 2 in opposition.

Third, the rooftop addition:

WHEREAS, based on the boards presented by the applicant, we feel that the addition is too prominently visible from the street; it could be lowered in height and still provide a sufficiently high floor-to-ceiling area within; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of this portion of the application; now

Vote: Passed, with 34 Board members in favor, and 1 in opposition.

Item 19 – 367 Bleecker Street (Charles) (Deux Pierre Antiques) A Second Empire-style building. Application is for restoration of storefront and windows, and legalization of windows installed without LPC permits.

WHEREAS, the windows are not appropriate for this style building, but

WHEREAS, this situation had existed for twenty years without a single complaint from this vigilant community; and

WHEREAS, this iconic and idiosyncratic building and store is beloved in the community, and its appeal has been featured in the definitive book, *Greenwich Village and How It Got That Way* by Terry Miller, and has been depicted in art work and a post card; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 35 Board members in favor.

LESBIAN, GAY, BISEXUAL AND TRANSENDER

Right to Marry Act S.3816

WHEREAS we recognize affectional freedom as fundamental to human dignity, and

WHEREAS marriage has historically been restricted to persons legally designated as “opposite sex” and

WHEREAS this limitation denies persons in LGBT relationships the basic right of equal protection under the law, and

WHEREAS this denial causes severe emotional, social, material, and financial harm to persons in committed LGBT relationships as compared to heterosexual peers, and

WHEREAS Community Board #2 is actively committed to ensuring the availability of marriage rights and recognition for persons in LGBT relationships

THEREFORE, BE IT RESOLVED that CB#2, Man. supports The “Right To Marry Act” (S.3816/A.7392) as introduced by Sen. Tom Duane and Assemblymember Richard Gottfried.

Vote: Unanimous, with 35 Board members in favor.

NOMINATING COMMITTEE

SEE ATTACHED REPORT – EXHIBIT I.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1A. New Application to NYCDOT for revocable consent to construct and maintain 2 benches at the building property line by Magnolia 401 Bleecker Street, NYC.

WHEREAS the applicant failed to appear;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL to Magnolia Bakery, 401 Bleecker Street, NYC, to construct and maintain 2 benches.

Vote: Unanimous, with 35 Board members in favor.

1B. NEW application for revocable consent to operate an enclosed sidewalk café by Trattoria Dante Restaurant, 79 Macdougall Street, NYC, with 3 tables and 6 seats. DCA# 1133839.

WHEREAS, the area was posted, the applicant’s expediter appeared before the committee and;

WHEREAS, there was no opposition from the community and;

WHEREAS, there is sufficient passage for pedestrian safety and public access and;

WHEREAS, there are no complaints on file at the Board office;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a ONE YEAR revocable consent to operate an unenclosed sidewalk café by Trattoria Dante Restaurant, 79 Macdougall Street, NYC, with 3 tables and 6 seats.

Vote: Unanimous, with 35 Board members in favor.

2. NEW application for revocable consent to operate an unenclosed sidewalk café by Buona Notte Restaurant, 120 Mulberry Street, NYC, with 6 tables and 12 seats, DCA#1135217.

WHEREAS, the area was posted, the applicant’s expediter appeared before the committee and;

WHEREAS, there was no opposition from the community and;

WHEREAS, there is sufficient passage for pedestrian safety and public access and;

WHEREAS, this restaurant has a platform and;

WHEREAS, CB#2, Man. historically support the requirement that all outdoor cafes be accessible to the handicapped and;

WHEREAS, outdoor cafes built on platforms often limit or prevent accessibility by the handicapped and;

WHEREAS, CB#2, Man. calls upon the Department of Consumer Affairs to encourage café owners to make platforms accessible by the handicapped;

THEREFORE, BE IT RESOLVED that Man. recommends approval of a ONE YEAR revocable consent to operate an unenclosed sidewalk café by Buona Notte Restaurant, 120 Mulberry Street, NYC, with 6 tables and 12 seats.

Vote: Unanimous, with 35 Board members in favor.

3. NEW application for revocable consent to operate an unenclosed sidewalk café by Bella Pasta, Restaurant, 26-28 Carmine Street, NYC, with 18 tables and 36 seats, DCA# 1133014.

WHEREAS, the applicant and an expediter appeared before the committee and;

WHEREAS, the area was posted and;

WHEREAS, there is sufficient passage for pedestrian safety and public access this sidewalk is fifteen feet, six inches wide and;

WHEREAS, this establishment used to be known as Tutta Pasta restaurant with a sidewalk café for 20 years and;

WHEREAS, this restaurant will not utilized removable railings but will use flowerpots instead.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a ONE YEAR revocable consent to operate an unenclosed sidewalk café to Bella Pasta Restaurant, 26-28 Carmine Street, NYC, with 15 tables and 30 seats.

Vote: Unanimous, with 35 Board members in favor.

4. NEW application for revocable consent to operate an unenclosed sidewalk café by Nostro Sapore 64 Carmine Street, NYC, with 4 tables and 10 seats DCA# 1133794.

WHEREAS, the area was posted and the applicant's lawyer appeared before the committee and;

WHEREAS, there is no opposition from the community and;

WHEREAS, there is sufficient passageway for pedestrian safety and public access and;

WHEREAS, there are no complaints on file at the Board office and;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends Approval of a ONE YEAR consent revocable to operate an unenclosed sidewalk café to Nostro Sapore, 63 Carmine Street, NYC, for 3 tables and 8 seats.

Vote: Unanimous, with 35 Board members in favor.

5. NEW application for revocable consent to operate an unenclosed sidewalk café by Positano Restaurant, 122 Mulberry Street, NYC, with 3 tables and 6 seats DCA# 1135770.

WHEREAS, the area was posted and the applicant's expediter appeared before the committee and;

WHEREAS, there was no opposition form the community and no complaints on file at the Board office and;

WHEREAS, there is sufficient passage for pedestrian safety and public access and;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a ONE YEAR revocable consent to operate unenclosed sidewalk café to Positano Restaurant, 122 Mulberry Street, NYC, with 3 tables and 6 seats.

Vote: Unanimous, with 35 Board members in favor.

6. NEW application for revocable consent to operate an unenclosed sidewalk café by Okinawa Japanese Restaurant, 496 La Guardia Place, NYC, with 5 tables and 10 seats, DCA #1136299.

WHEREAS, the applicant lawyer appeared before the committee and;

WHEREAS, there is sufficient passage for pedestrian safety and public access and;

WHEREAS, the area was posted and there was no opposition from the community and;

WHEREAS, CB#2, Man. received a beautiful letter from a 68 year old resident who lives above this restaurant in favor of this sidewalk café.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a ONE YEAR revocable consent to operate an unenclosed sidewalk café to Okinawa Japanese Restaurant, 496 La Guardia Place, NYC, with 5 tables and 10 seats.

Vote: Unanimous, with 35 Board members in favor.

7. NEW application for revocable consent to operate an unenclosed sidewalk café by Fratelli Restaurant 115 Mulberry Street, NYC, with 6 table and 12 seats, DCA # 1136098.

WHEREAS, the area was posted and the applicant's expediter appeared before the committee and;

WHEREAS, there is no opposition from the community and no complaints on file at the board office and;

WHEREAS, is sufficient passage for pedestrian safety and public access and;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a ONE YEAR, revocable consent to operate an unenclosed sidewalk café to Fratelli Restaurant, 115 Mulberry Street, NYC, with 6 tables and 12 seats.

Vote: Unanimous, with 35 Board members in favor.

8. NEW application for revocable consent to operate an unenclosed sidewalk café by Agave Restaurant, 140 Seventh Avenue South, NYC, with 8 tables and 24 seats. DCA # 1131159.

WHEREAS, the area was posted, the applicant appeared before the committee and;

WHEREAS, there is sufficient passage for pedestrian safety and public access and;

WHEREAS, there are no complaints on file at the board office and;

WHEREAS, this application is for the unenclosed portion of this sidewalk café only and;

WHEREAS, this establishment used to be known as Woody's Restaurant and Montana Eve Restaurant with a sidewalk café for 15 years.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of a ONE YEAR revocable consent to operate an unenclosed sidewalk café for Agave Restaurant, 140 Seventh Avenue South, NYC, with 8 tables and 24 seats.

Vote: Unanimous, with 35 Board members in favor.

9. NEW application for revocable consent to operate an unenclosed sidewalk café by Savoy Restaurant, 70 Prince Street, NYC, with 4 tables and 8 seats DCA# 113355.

WHEREAS, the area was posted, the applicant appeared before the committee and;

WHEREAS, there was no opposition from the community and;

WHEREAS, there are no complaints on file at the Board office and;

WHEREAS, there is sufficient passage for pedestrian safety and public access and;

WHEREAS, the applicant states this location has been a restaurant for 17 years and;

WHEREAS, this restaurant is located in an M15B zoning and;

WHEREAS, City Planning restricts sidewalk cafes in this zoning and;

WHEREAS, we call upon the Department of Consumer Affairs to please check with City Planning;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends DENIAL for revocable consent to operate and unenclosed sidewalk café to Savoy Restaurant, 70 Prince Street, NYC, for 13 tables and 28 seats.

Vote: Unanimous, with 35 Board members in favor.

10. RENEWAL application for revocable consent to operate an Enclosed sidewalk café by Lemongrass Grill Restaurant, 74-76 Seventh Avenue South, NYC, with 13 tables and 42 seats, DCA #0940793.

WHEREAS, the area was posted and the applicant appeared before the committee and;

WHEREAS, there was no opposition from the community and;

WHEREAS, there are no changes to the layout of this existing sidewalk café and;

WHEREAS, there are no complaints on file at the board office and;

WHEREAS, there are not blueprints on file and;

WHEREAS, the applicant states that blueprints were sent to Department of Consumer Affairs and;

WHEREAS, this has been an Enclosed sidewalk café for 10 years;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a TWO YEAR revocable consent to operate an Enclosed sidewalk café to Lemongrass Grill Restaurant, 74-76 Seventh Avenue South, NYC, with 13 tables and 42 seats.

Vote: Unanimous, with 35 Board members in favor.

11. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Le Basket Restaurant, 683 Broadway, NYC, with 10 tables and 31 seats. DCA #1108196.

WHEREAS, the applicant and architect appeared before the committee and;

WHEREAS, the area was posted and there was no opposition from the community and;

WHEREAS, this establishment has a beer and wine license and;

WHEREAS, this establishment is required to have waiter and waitress service and;

WHEREAS, Board Members of CB#2, Man. have noticed no waiter or waitress service and;

WHEREAS, this committee advise the owner of this establishment to be sure to have waiter and waitress service;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of only a ONE YEAR revocable consent to operate an unenclosed sidewalk café to Le Basket Restaurant, 683 Broadway, NYC, with 10 tables and 31 seats, contingent upon the applicant agreeing to outdoor table service.

Vote: Passed, with 19 Board members in favor, 9 in opposition, 1 recusal (H. Fields), and 1 abstention.

12. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Stonewall Bistro Restaurant, 113 Seventh Avenue South, NYC, with 12 tables and 24 seats. DCA #1078190.

WHEREAS, the applicant failed to appear before the committee;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends DENIAL of a revocable consent to operate an unenclosed sidewalk café to Stonewall Bistro Restaurant, 113 Seventh Avenue South, NYC, with 12 tables and 24 seats.

Vote: Unanimous, with 35 Board members in favor.

13. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Flying Burritos Restaurant, 165 West 4th Street, NYC, with 5 tables and 11 seats DCA#1099077.

WHEREAS, the area was posted the applicant appeared before the committee and;

WHEREAS, there is no opposition from the community and;

WHEREAS, the applicant states that his tables are 18 inches only and;

WHEREAS, the applicant has been a good neighbor and;

WHEREAS, last year, the applicant had a bike chained to a parking meter and he has since removed it;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café by Flying Burritos Restaurant, 165 West 4th Street, NYC, with 5 tables and 11 seats.

Vote: Unanimous, with 35 Board members in favor.

14. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Meet Restaurant, 71-73 Gansevoort Street, NYC, with 15 tables and 48 seats DCA#1101944.

WHEREAS, the applicant's expediter appeared before the committee and;

WHEREAS, the area was posted and:

WHEREAS, here is sufficient passage for pedestrian safety and public access, this sidewalk is 19 feet wide and;

WHEREAS, the expediter states that there are 90 seats inside this restaurant and;

WHEREAS, this restaurant will be using flower pots instead of removable railings and;

WHEREAS, this restaurant is located within the Meat Packing District, also it is in a building that used to be a meat company;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends approval of a TWO YEAR revocable consent to operate and unenclosed sidewalk café to Meet Café Restaurant, 71-73 Gansevoort Street, NYC, with 15 tables and 48 seats.

Vote: Unanimous, with 35 Board members in favor.

15. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Le Gans Restaurant, 46 Gansevoort Street, NYC, with 10 tables and 19 seats DCA#1034274.

WHEREAS, the area was posted and the applicant's architect appeared before the committee and;

WHEREAS, there was no opposition from the community and no complaints on file at the Board office and;

WHEREAS, there is sufficient passage for pedestrian safety and public access and;

WHEREAS, this is a 17 foot sidewalk and;

WHEREAS, this restaurant is located in the meatpacking district;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval for a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Le Gans Restaurant, 46 Gansevoort Street, NYC, with 10 table and 19 seats.

Vote: Unanimous, with 35 Board members in favor.

16. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Luxus Restaurant, 510 La Guardia Place, NYC, with 18 tables and 35 seats DCA#1099004.

WHEREAS, the applicant appeared before the committee and;

WHEREAS, the area was posted and there was no opposition from the community and;

WHEREAS, there is sufficient passage for pedestrian safety and public access and;

WHEREAS, the inside of this establishment has 22 seats on the second floor, 17 seats on the ground floor plus 9 stools.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWOYEAR revocable consent to operate an unenclosed sidewalk café to Luxus Restaurant, 510 La Guardian Place, NYC, with 18 tables and 35 seats.

Vote: Unanimous, with 35 Board members in favor.

17. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by L’Ulivo Restaurant, 182 Spring Street, NYC, with 4 tables and 8 seats DCA #0956419.

WHEREAS, the area was posted and the applicant appeared before the committee and;

WHEREAS, there was no opposition from the community and;

WHEREAS, this establishment has been a sidewalk café for 10 years and;

WHEREAS, there is sufficient passage for pedestrian safety and public access;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL for a TWO YEAR revocable consent to operate and unenclosed sidewalk to L’Ulivo Restaurant, 182 Spring Street, NYC, with 4 tables and 8 seats.

Vote: Unanimous, with 35 Board members in favor.

18. RENEWAL application for revocable consent to operate and unenclosed sidewalk café by Malatesta Trattoria Restaurant, 649 Washington Street, NYC, with 18 tables and 35 seats DCA#1076713.

WHEREAS, the area was posted and the applicant appeared before the committee and;

WHEREAS, there was no opposition from the community and no complaints on file with the Board office and;

WHEREAS, there is sufficient passage for pedestrian safety and public access for this is a 19-foot, 9-inch sidewalk.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Malatesta Trattoria Restaurant, 649 Washington Street, NYC, with 18 Tables and 35 seats.

Vote: Unanimous, with 35 Board members in favor.

SOCIAL SERVICES, HOMELESS AND SENIOR SERVICES

1. Support for Legislative Budget and Overrides

WHEREAS New York Governor George Pataki announced that he would carry out 119 vetoes of legislative spending and tax items, including \$31.6million in vetoes to AIDS and disability funding initiatives; and

WHEREAS Assembly Speaker Sheldon Silver and Senate Majority Leader Joe Bruno said they would move quickly to override all of the Governor’s vetoes. The Assembly will begin override votes at 10 AM Thursday morning, and the Senate will follow with overrides of their own starting at Noon; and

WHEREAS in his veto announcement, Pataki repeatedly declared that the Legislature had acted unconstitutionally in passing its own alternative budget, raising the possibility of a scorched-earth political battle that could result in prolonged litigation, impoundment of funds, and other executive actions that could stop restored funds from reaching community groups and disabled New Yorkers; and

WHEREAS nine of Pataki's 119 vetoes would directly impact New Yorkers living with AIDS and HIV and other disabilities:

- Pataki vetoed the restoration of \$25.7 million in funding for cost-of-living adjustments for over 600,000 elderly, blind and disabled recipients of federal SSI benefits;
- Pataki vetoed \$1,062,600 in restored funding for community-based AIDS services in the MSA and CDI programs at the AIDS Institute;
- Pataki vetoed \$1,062,600 in restored funding for community-based AIDS services in the CSP program at the AIDS Institute;
- Pataki vetoed \$2.1 million in targeted funding to fight AIDS in communities of color across the state;
- Pataki vetoed \$437,500 in restored funding for specialty contract providers at the AIDS Institute;
- Pataki vetoed \$393,750 in restored funding for permanency planning programs to help HIV-positive parents plan for the care of their young children;
- Pataki vetoed \$393,750 in restored funding for HIV treatment adherence programs;
- Pataki vetoed \$347,000 in funding for AIDS education programs; and
- Pataki vetoed \$125,300 in restored funding for the Operating Support for AIDS Housing (OSAH) program.

WHEREAS Pataki left the door open to a variety of challenges to the expected legislative overrides, including litigation and impoundment of funds;

WHEREAS Pataki also said that he would delay action on the legislature's revenue aid bill for New York City, but continued to criticize the taxes included in the crucial legislation; and

WHEREAS New York needs every dollar we can get to fight AIDS and to help people living with AIDS and HIV and other disabilities, and we need a strong Medicaid health care infrastructure to support HIV care across the state;

THEREFORE BE IT RESOLVED that CB#2, Man. calls on our State Senator, our State Assembly Members, and Governor Pataki to support the legislative budget and overrides of the Pataki vetoes; and

BE IT FURTHER RESOLVED that they not to fight a political battle that will hurt New Yorkers living with AIDS and HIV and other disabilities; and

BE IT FURTHER RESOLVED that they not throw the budget battle into the courts, and that they not impound money that New York City needs to save lives.

Vote: Unanimous, with 35 Board members in favor.

2. Mayor's Office of AIDS Policy Coordination

WHEREAS on March 13, 2003, Mayor Michael Bloomberg gave a speech detailing his commitment to fighting the HIV/AIDS epidemic in New York City; and

WHEREAS within the past year, Deputy Mayor Walcott and Commissioner Frieden have been asked in various public forums, such as HIV Planning Council meetings and City Council hearings, whether there were plans to move the Mayor's Office of AIDS Policy Coordination (MOAPC), an independent Mayoral office into the Department of Health and Mental Hygiene (DOHMH), and in each case, the senior member from his administration assured members of the HIV community that there were no such intentions and that MOAPC would remain independent of DOHMH; and

WHEREAS, during his speech at the Community Planning Leadership Summit, Mayor Bloomberg spoke of empowering Mr. Frank Oldham, the Citywide Coordinator for AIDS Policy, to fulfill MOAPC's original mission of coordinating services across the many city agencies involved in the delivery HIV/AIDS services; and

WHEREAS the proposed move downgrades Mr. Oldham's position and changes it from one that reports directly to a Deputy Mayor, to one that reports to a Commissioner that reports to a Deputy Mayor; and

WHEREAS, given the vision Mayor Bloomberg laid out in the speech, and the assurances consistently given by members of his administration; and

WHEREAS the members of the HIV community, were shocked to learn of the transfer of MOAPC into the DOHMH only after examining the details of FY04 executive budget; and

WHEREAS it is extremely difficult to build trust and work in partnership with top city officials whose reassurances are directly contradicted by the city's executive budget document; and

WHEREAS such a transfer would seriously undermine the credibility of the Bloomberg administration and dismantle the partnership that has been developed with the HIV community; and

WHEREAS the transfer would in effect, downgrade MOAPC and signal a deadly retreat in addressing HIV issues from the City's prioritized agenda; and

WHEREAS the transfer would eviscerate MOAPC's capacity to objectively monitor DOHMH performance in its role as NYC's Ryan White Title I grantee; and

WHEREAS it also creates a paradigm which makes it virtually impossible for MOAPC to fulfill its original mission of coordinating HIV/AIDS services across various city agencies; and

WHEREAS the HIV community suffered a great hardship because of a drastic decrease of \$14.8 million in this year's Ryan White Title I allocation; and

WHEREAS the administration of Housing Opportunities for People with AIDS (HOPWA) funds is also located within the MOAPC, the transfer of MOAPC also implies the transfer of HOPWA administration to DOHMH; and

WHEREAS DOHMH's experience with AIDS housing, a highly technical and difficult area, is limited to contracting a small set of Ryan White Title I housing supplemental staffing contracts; and

WHEREAS there were extreme delays in the implementation of the contracting process, which contributed to a record high overall Ryan White Title I under-spending rate last year, which may have contributed to the \$14.8 million lost to NYC previously referenced; and

WHEREAS given DOHMH's lack of substantial experience and unfavorable track record, increasing DOHMH's responsibility to undertake over \$50 million in annual HOPWA funds is highly problematic; and

WHEREAS this also creates the possibility that DOHMH will supplant resources and use HOPWA funds to cover existing personnel services and other than personnel services costs that are currently funded via city tax levy; and

WHEREAS such a move would endanger the flow of federal funds into NYC for desperately needed AIDS housing;

THEREFORE BE IT RESOLVED CB#2, Man., in a part of Manhattan which has suffered great losses from AIDS, and which has for many years supported the establishment of AIDS service organizations and AIDS housing within its borders, asks Mayor Bloomberg to honor his recent words at the Community Planning Leadership Summit and give MOAPC the authority and support it needs to carry out the vital mission that its name implies.

Vote: Unanimous, with 35 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Allowing A Free Metro Card Transfer at Uptown Platform of the Bleecker Street #6 Subway Station

WHEREAS; NYC Transit has developed a plan for connecting the Broadway/Lafayette subway station and with the uptown platform of the Bleecker Street #6 subway station, and;

WHEREAS; this existing connection to the downtown platform is very well used and indicates a strong need for the proposed connection, and;

WHEREAS; with the Metro Card now in fully place it is possible to accomplish street-level temporary connections, as has been done between the 63rd Street Station and the 59th Street Lexington Station, and;

THEREFORE BE IT RESOLVED that CB#2, Man. requests that the NYC Transit establish, as soon as possible, an interim street-level free Metro Card transfer similar to the 63rd St.-59th Street transfer already in place and that multi lingual signage be posted explaining the free transfer.

Vote: Unanimous, with 35 Board members in favor

2. Signage Posting To Require Traffic To Turn Right Onto Broome Street From Thompson Street During The Evening Rush Hours

WHEREAS; New traffic lights have been installed at Thompson Street and Broome Street that have improved traffic flow at this intersection, and;

WHEREAS; The community reports that there still is congestion at this intersection that could be relieved by requiring traffic to turn right onto Broome Street from Thompson Street during the evening rush hours,

THEREFORE BE IT RESOLVED that CB#2, Man. requests that the NYC DOT review traffic flow at this intersection and post signage to require traffic to turn right onto Broome Street from Thompson Street during the evening rush hours,

Vote: Passed, with 28 Board members in favor with 6 in opposition and 1 recusal.

WATERFRONT

Proposed Developer for Pier 40

WHEREAS, the CB#2, Man. has been charged with the duty of selecting a developer for Pier 40-Manhattan (Pier 40) from among those conveyed by the Hudson River Park Trust (HRPT); and

WHEREAS, CB#2, Man. has concerns about the developers' designs and the ability to raise funds to carry them through to completion as initially outlined; and

WHEREAS, there seems to be an almost-universal opposition in the community to the development of Pier 40 with any so-called "big box" superstores; and

WHEREAS, the (Fagan) proposal called "Park on the Pier" has as an integral feature "big box" stores; and

WHEREAS, the (Jacoby Development/Chermayeff) proposal for an aquarium ("Oceanarium"), though attractive, raises serious concerns about the potential deluge of polluting, uncontrollable traffic patterns in lower Manhattan and the negative impact on the Coney Island community and its aquarium due to the siphoning of patrons by a Pier 40 "Oceanarium"; and

WHEREAS, CB#2, Man. believes that it is far better to make a choice in this matter than to have no opinion; and

WHEREAS, the pier's current leaseholder (CK/Durst) has earned the trust of many board and community members as an entity that has demonstrated reasonableness and sensitivity in its dealings with the community and has proposed a plan called "River Green" which may be implemented without a "big box" superstore if sufficient public contributions can be raised to offset loss of income; and

WHEREAS, the developer has plans to provide space for the performing arts and incorporate public art into the overall design; and

WHEREAS, CK/Durst has stated it believes that such public subscription is feasible,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends to the HRPT the awarding of CK/Durst as the Pier 40 developer provided that its plan can be realized without the inclusion of any "big box" superstore and provided that CB#2, Man. will have on-going advisory role throughout the planning and development of the project through to its completion and provided that it is agreed in advance by CK/Durst that the following recommendations will be reflected in the implementation of the "River Green" plan:

1. CK/Durst agrees that the gardens in the plan be re-configured after consultation with the community regarding desired and needed changes in the scheme.

2. CK/Durst agrees that while the amount of space allotted for various ball games is ample, the amount of space allotted for passive park use must be enhanced and should be available without charging a fee.
3. CK/Durst agrees to develop a comprehensive and credible traffic plan to minimize the additional pollution, congestion, and “wear and tear” to our historic older buildings, which will be generated by “River Green”.
4. CK/Durst agrees that environmental planning to protect visitors to the ball fields, gardens and promenades using IPM (Integrated Pest Management) systems and organic materials – and will include a requirement that only vessels using low-sulfur fuels may dock near Pier 40 possibly with a deflection system for the park areas to protect those using the outdoor spaces from diesel fumes, except for historic vessels.
5. CK/Durst agrees to clarify the plans for “River Green” interior spaces, as it is the opinion of the Board that this aspect of the project has been inadequately outlined.
6. CK/Durst agrees that the “River Green” plan will exclude chain store restaurant tenants.

Vote: Passed, with 29 Board members in favor, 2 in opposition, 3 in abstention, and 1 recusal (T. Bergman).

YOUTH

1. Fiscal Year 2004 New York State Budget

WHEREAS the FY2004 New York State budget proposes to eliminate Universal Pre-Kindergarten for 60,000 four-year-olds; and

WHEREAS NYC’s infant mortality rate dropped 42% between 1998 and 2001, but the FY2004 NYS budget risks reducing access to health care services; and

WHEREAS there are 26,506 children in foster care and 28,858 children receiving preventive services in NYC, the FY2004 NYS budget proposes to eliminate 163 preventive service and substance abuse treatment programs for children and their families; and

WHEREAS CB#2, Man.’s district is home to a large proportion of New York City’s homeless and throwaway youth, including gay, lesbian, bisexual and transgender youth and youth who have drifted out of foster care; and

WHEREAS CB#2, Man.’s district is home to agencies serving children and youth from all over the city; and

WHEREAS our schools, including issues of economic disparity, are of great concern to our community;

THEREFORE BE IT RESOLVED that CB#2, Man. calls on the governor and the legislature to provide New York City with the approval needed to raise revenue and initiate better revenue-sharing to help close the city’s budget gap; and

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. calls on the governor and the legislature to restore funding for core services to ensure that all New York City children are healthy, housed, educated and safe, including Rejecting the proposal to impose co-payments and parent fees for services provided for infants and toddlers with developmental delays enrolled in the Early Intervention Program;

- Maintaining Child Health Plus A (Medicaid) eligibility for 6 – 18 year-olds at 133% of the Federal poverty level;
- Restoring \$204 million for Universal Pre-Kindergarten for 60,000 four-year-olds;
- Restoring \$140 million for Early Grade Class Size Reduction affecting 240,000 children in 2,500 classrooms;
- Shifting TANF funds to increase the Child Care and Development Block Grant by \$70 million;
- Reappropriating unspent funds for the Recruitment and Retention Program through December 31, 2003;

- Restoring \$40 million for youth development and after school programs including: Youth Development and Delinquency Programs, Special Delinquency Prevention Programs, the Advantage After school Program, and the Extended Day/Violence Prevention Program.
- Restoring \$25 million for the Summer Youth Employment Program to provide 35,000 jobs for youth;
- Restoring 433 million in TANF funding to support programs providing intensive case management, substance abuse programs, aftercare and preventive services for children and families,
- Improving insurance coverage for children in and aging out of foster care by increasing insurance coverage for children placed in congregate care, and providing continuous health insurance coverage to 18 to 21 year olds leaving foster care for independent living,
- And rejecting Article 7 language that would establish an inadequate public assistance shelter allowance for families, and instead support regulatory changes that increase the public assistance shelter allowance and create a supplemental rent assistance program for homeless and at-risk families.

Vote: Unanimous, with 35 Board members in favor.

2. Support for Street Outreach Programs

WHEREAS, each year thousands of at-risk young people ages 14-20 leave home because of physical or emotional abuse, or because their basic needs such as food, clothing, and safe shelter are not being met, and

WHEREAS, each year many at-risk street-involved youth, particularly youth of color, come from all over New York City to congregate on the streets of the far West Village, where these young people hope to find acceptance from like-minded peers, and

WHEREAS, this population is particularly isolated and vulnerable, and is exploited by gangs, adult and peer predators, and criminals such as drug dealers and those engaging in hate crimes, and

WHEREAS, many of these youth end up in a desperate cycle of hopelessness, despair, drugs, and poverty, and end up engaging in survival sex, often unprotected, drug taking, and other personally and socially destructive activities in order to eat each day, and

WHEREAS, these youth are most at-risk for HIV infection, and are the most isolated from testing, treatment, and long-term support services that could save or enhance their lives, and

WHEREAS, Street Outreach Programs have proven to be effective models of intervention, which can build trust with youth, educate them about resources and health care, build their self esteem and offer them opportunities to give back to their communities,

THEREFORE BE IT RESOLVED, that CB#2, Man. supports the development of a Street Outreach Program that can engage these youth and build trust with them in the places they congregate, and which can insure a seamless continuum of services from the streets to appropriate shelters and a range of supportive services, including nutrition and feeding, recreation, art, counseling, referral, case management, psychiatric services, HIV counseling/testing, and medical services; and

BE IT FURTHER RESOLVED that this Street Outreach Program should also provide collaboration with all key stakeholders in the community, including residents, businesses and law enforcement agencies.

Vote: Unanimous, with 35 Board members in favor.

ZONING AND HOUSING

622-626 Broadway a/k/a 156-160 Crosby St.

SEE ATTACHED EXHIBIT II.

Replaced by substitute amendment below.

622-626 Broadway, BSA #

WHEREAS, the Yu family have been good neighbors for 21 years at 622 Broadway; and

WHEREAS, the Yu family recently completed the renovation, inside and out of 622 Broadway and brought it up to standard Landmark approval; and

WHEREAS, the Fiorucci store occupied the space and after 9/11, it eventually closed. Fiorucci changed the configuration of the space, creating a very wide staircase leading to the basement, which they used for retail use. It will be a financial hardship to take away the staircase and to separate the basement from the first floor. This space has been empty for at least a year and a half without being able to lease it. Before Fiorucci there was a restaurant called Louisiana Community Bar & Grill, which eventually became a club. The Yu family finally got them out; and

WHEREAS, 622 Broadway cannot and will not be used as a club or cabaret and will clearly sign a letter to that affect; and

WHEREAS, NoHo NY BID feels having another empty store on Broadway, is a blight to the neighborhood;

THEREFORE, BE IT RESOLVED that 622 Broadway be given permission to use the basement as part of the street level store.

Vote: Passed, with 31 Board members in favor, and 4 in opposition.

610 Broadway

WHEREAS, this is an application to permit 1st floor retail space in the M1-5B District and a second application to permit oversized retail on the first floor and cellar of this block-front lot, and

WHEREAS, in February the applicant appeared before the Zoning Committee with his application, and

WHEREAS, at that time the community made it very clear, with 5 different notations in our resolution, that there was major objections to giant signage at this site, and the Community Board agreed to the applications only if the applicant agreed not to erect billboards of any kind and would limit signage to business signs for their tenants, and

WHEREAS, the documentation presented to the committee seemed to show that there had been no conforming use found for the space despite the required advertising, and

WHEREAS, at the City Planning Commission hearing, the applicant showed another design for his building containing 3 giant 600 sq. ft. signs on the building at the Houston St. and Crosby Street corner, and

WHEREAS, at the same hearing, information was submitted to the City Planning Commission about a conforming use, an auto showroom, which had been attempting to rent the advertised space at the price shown, but without success, and

WHEREAS, on the basis of these two new developments, this matter was put back on the schedule for this month's Zoning Committee meeting and discussed, and

WHEREAS, at the Committee meeting, James Giddings attended, as did attorney Jack Lester, and Mr. Giddings stated that he was the person who had been interested in renting the space for the auto showroom, without success,

THEREFORE BE IT RESOLVED that CB#2, Man. reverses its former resolution and votes not to endorse the two applications for this site for 1st floor retail and for an oversized retail establishment at 610 Broadway.

Vote: Unanimous, with 35 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Secretary
Community Board #2, Manhattan